



ADMINISTRATIVE OFFICE
OF THE COURTS
455 Golden Gate Avenue
San Francisco, CA
94102-3688
Tel 415-865-4200
TDD 415-865-4272
Fax 415-865-4205
www.courtinfo.ca.gov

FACT SHEET

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Judicial Council of California

The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts (AOC) implements the council's policies.

History

On November 2, 1926, California voters approved a constitutional amendment establishing the Judicial Council as the policymaker for the third co-equal branch of state government and granted the new body responsibility for overseeing the state-wide administration of justice. This amendment has played a crucial role in maintaining the strength and independence of the judiciary in California.

Mandated Responsibilities

The Judicial Council is responsible for:

- Establishing direction and setting priorities for the continual improvement of the court system;
- Promulgating rules of court administration, practice, and procedure;
- Sponsoring and taking positions on legislation that affects the California judicial system;
- Allocating the California judicial branch budget; and
- Responding to mandates from the Legislature.

Major Reforms

The current stage in the council's history is marked by a focus on productivity, accountability, and innovation. Beginning in the late 1980s, the council has undergone a series of fundamental reorganizations aimed at incorporating more input not only from within the judicial branch but from other interested entities and individuals. This broad participation assists the council in effectively meeting current needs. Council-initiated reforms affect every area of court operations, from jury service and

court interpreters to court technology and assistance for self-represented litigants and troubled families. At the same time, the council has promoted unity and cooperation both within the judicial branch and between it and its sister branches.

Three laudable and long-sought reforms have allowed the judicial branch to successfully address ongoing court management challenges in this new millennium.

Trial Court Funding Act of 1997

Effective January 1, 1998, the Trial Court Funding Act of 1997 provided courts with their first stable, secure, and highly accountable statewide funding system. No other reform in California court history has done more to free courts from day-to-day financial uncertainty or has been more important in allowing the courts to focus their resources and attention on improving access and service to the public.

Trial court unification

The unification of the municipal and superior courts, which began in 1998 and is now effective in all 58 counties, gave California a one-tier trial court system that has produced efficiencies far exceeding early expectations.

Trial Court Facilities Act of 2002

The transfer of ownership and management of all trial court facilities from individual counties to the state is designed to improve the condition of California's court facilities. These transfers will enable the Judicial Council to ensure that justice is administered effectively and accessibly throughout the state.

Other Highlights

Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch

Effective June 24, 2010, the Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch was created to promote transparency, accountability, efficiency, and understanding of the Administrative Office of the Courts (AOC) and the judicial branch. The advisory committee fosters the best use of the work, information, and recommendations provided by the AOC, and it promotes increased understanding of the AOC's mission, responsibilities, accomplishments, and challenges. The advisory committee is a standing committee of the Judicial Council. Its charge is to review and recommend on budget change proposals for the AOC, changes in the annual compensation plan for the AOC, and financial audit reports for judicial branch entities.

Public access rules for the judicial branch

Effective January 1, 2010, the Judicial Council adopted new rule 10.500 of the California Rules of Court, establishing a system for comprehensive public access to judicial administrative records maintained by the trial and appellate courts, the Judicial Council, and the Administrative Office of the Courts.

The rule is based on the California Public Records Act, applicable to state executive branch and local agencies, and includes features from the Freedom of Information Act, applicable to federal executive agencies.

Commission for Impartial Courts

In September 2007, Chief Justice Ronald M. George established the Commission for Impartial Courts as a consequence to the work of the 2006 statewide Summit of Judicial Leaders sponsored by the Judicial Council. The commission was charged with providing recommendations to the Judicial Council for strengthening the court system, increasing public trust and confidence in the judiciary, and ensuring judicial impartiality and accountability for the benefit of all Californians. The commission submitted its final report of recommendations to the Judicial Council during the council's business meeting on December 15, 2009. The council has endorsed many of those recommendations, directing the Administrative Office of the Courts to implement those within its purview and forwarding several of the others to the appropriate entities, such as the State Bar of California and the Supreme Court of California, for their action.

The commission's recommendations include promoting ethical and professional conduct by judicial candidates; better regulating campaign financing practices; expanding public information and education about the judiciary, both during judicial election campaigns and otherwise; and improving the methods and procedures of selecting and retaining judges.

Reorganization of Rules of Court

Effective January 1, 2007, the Judicial Council of California approved a major reorganization of the California Rules of Court, a group of more than 1,000 rules and 38 Standards of Judicial Administration that govern court administration, practice, and procedure.

The reorganization involved a major restructuring, reordering, and renumbering of the rules and standards to make them better organized and easier to understand. The changes to the California Rules of Court are part of a larger, historic effort to make the law clearer, more accessible, and user-friendly.

Reforming the jury system

The council's Jury Improvement Program was created in December 1995, to review and make recommendations on all aspects of the jury system. The Trial Court Presiding Judges Advisory Committee/Court Executives Advisory Committee Joint Working Group on Jury Administration continues to make innovative recommendations to the council. In May 1999, the Judicial Council adopted the one-day or one-trial jury system, codified in rule 2.1002 of the California Rules of Court, that permits prospective jurors to appear for only one day of jury service unless they are selected for a trial. Other improvements include new rules of court that allow jurors to take notes, ask questions of witnesses, and receive mini-opening statements, and the production of a model juror summons that courts may use to redesign local summonses to better assist jurors in understanding how to complete their jury service.

Increasing access and fairness in state courts

The council has developed numerous education and outreach programs to improve access and fairness for all persons using the court system, including those with disabilities. In 2001, the council launched the California Courts Online Self-Help Center to improve court access for litigants without attorneys; in 2003 a Spanish-language version of the Online Self-Help Center was launched. In 2002, a Fairness Education Committee was established in the AOC Education Division/Center for Judicial Education and Research for the purpose of ensuring that fairness education is included in judicial education and training. In 2003, the council adopted a rule of court that facilitated requests for accommodations for court users with disabilities. A publication, designed to assist court staff in providing appropriate assistance to court users was released in 2003, as well as a *Native American Resource Guide for Bench Officers*. That year, the council also conducted a statewide survey of the public's trust and confidence in the courts and released the study's findings and recommendations. In 2007, the council adopted a rule intended to increase the participation of diverse Californians in county grand juries. It also developed written materials to assist court users with limited English proficiency. In 2010, the council published a set of guidelines—the first in the nation—on *Recommended Guidelines for the Use of Deaf Intermediary Interpreters*. These guidelines will assist the courts in providing access to courtroom proceedings for deaf or hard-of-hearing persons who are not able to communicate in American Sign Language.

Also in 2010, former Chief Justice Ronald M. George announced the appointment of the California Tribal Court/State Court Coalition, the first organization of its kind in the state. The purpose of the coalition is to develop measures to improve the working relationship between California's tribal and state courts and to focus on

areas of mutual concern. The coalition (also known as the forum), staffed by the Tribal Projects Unit of the AOC's Center for Families, Children & the Courts, studies and provides recommendations to the Judicial Council on such areas as enforcement and recognition of protective and other kinds of orders and judgments, jurisdictional issues, and how to ensure access to justice in Indian country in the areas of domestic violence, sexual assault, stalking, and teen-dating violence.

The Legislature approved the creation of 50 new judgeships both in 2006 and in 2007 in courts with the greatest need for new judges. Although the second set of 50 judgeships has been statutorily authorized, funding has been delayed as a result of the difficult economic times facing the state. The Judicial Council nonetheless continues to seek funding for the second set of 50 judgeships, as well as authorization for another 150 critically needed judgeships identified in a 2008 update to the judicial workload study. In addition, the council worked with judicial branch partners in finding ways to help increase the diversity of the judiciary, including providing materials to the courts that suggests ways they can help achieve this judicial branch goal. Two major task forces were charged with investigating and recommending ways to improve access to the courts for court users involved in family law proceedings and to help the courts better serve children and families in the foster care.

Expanding court interpreting services

The council has launched several initiatives to expand the availability and ensure the quality of court interpreting services for persons with limited or no English proficiency. The council's advisory committee on this topic, the Court Interpreters Advisory Panel, makes policy recommendations on initiatives aiming to advance language access in the courts, resulting in innovative programs.

Helping children and families

Many far-reaching efforts are under way to expedite court processes, services, and support for the growing number of families in crisis. The AOC Center for Families, Children & the Courts works to (1) ensure that the well-being of children, youth, families, and self-represented litigants is a high priority in the California judicial system; (2) encourage positive change at both the trial and appellate court levels on their behalf; and (3) provide leadership, outreach, and collaboration to ensure that court and community resources are available to these groups.

Modernizing court technology

California Court Case Management System The California Court Case Management System (CCMS) is an integrated justice system using a single application. CCMS will

support courts of all sizes and be maintained at a statewide level, centrally hosted in the California Courts Technology Center. The core CCMS product will be delivered in 2011 and deployed to three early adopter courts. An integrated justice system supports the strategic goals of the Judicial Council by facilitating common business practices throughout the state.

CCMS will be utilized by 90 percent of court staff and judicial officers, transforming the way cases are received, adjudicated, and communicated and transforming court operations from a paper-based process to an electronic environment—in line with the expectation of today's consumers. New paper-on-demand initiatives, including electronic filing, electronic calendars, self-service case inquiries, and self-service payments, will transform the way courts do business.

CCMS will improve public safety and transform the quality of justice rendered in California's trial courts by providing the public, attorneys, judges, and litigants with immediate access to case information. This transformation will bring the service levels provided in the California court system into alignment with the service quality that has been achieved in the private sector and other areas of government.

State agencies that interact with the courts, including the Department of Justice, Department of Social Services, Department of Child Support Services, California Highway Patrol, and others will be able to interact with a single case management system to improve efficiency, eliminate redundant data entry, avoid data entry errors, and reduce system costs. Attorneys and the public will have increased options and improved service time frames for conducting business with the courts.

In December 2010, CCMS governance was augmented to provide broader participation within the judicial branch, bar, and justice system partners. The governance structure provides overarching direction and guidance to the program and helps ensure successful implementation across the state. It consists of the CCMS Executive Committee and three advisory committees to help manage issues related to administration, operations, and justice partner relationships. The CCMS Executive Committee will provide overall executive oversight and leadership, including project scope and supervision, budget, priorities, policy, and independent verification and validation. In recognition of the growing complexity and scope of the CCMS program and the necessity for full-time executive sponsorship, effective November 1, 2010, the CCMS organizational structure and executive management is under the direction of a new Program Management Office (PMO) within the AOC, led by an executive program director.

Phoenix Program

The Phoenix Program includes the Phoenix Financial System and Phoenix Human Resources System. The Phoenix Financial System, standardizing accounting functions in the judicial branch and providing timely and comprehensive financial information, allows the branch to adhere to the highest standards of accountability and transparency for its use of public resources and to comply with its statutory and constitutional mandates. All 58 trial courts are currently using the Phoenix Financial System.

The Phoenix Human Resources System demonstrates the commitment to branchwide modernization of management and administration by leveraging technology for human resources administration and payroll processing; developing a customer service call center; standardizing processes and procedures; collecting data at the source and providing central processing; and providing manager self-service (MSS) and employee self-service (ESS) functions to the courts. Currently, seven courts utilize the Phoenix Human Resources System for their human resources and payroll needs.

Strategic and Operational Planning

The Long-Range Strategic Plan for the California judicial branch, *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2012*, contains a detailed action plan for the council's advisory committees and the Administrative Office of the Courts. Developed under the direction of the Judicial Council, and informed by a wide variety of stakeholders, the plan provides a vision and direction for California's courts. The plan establishes mechanisms for the responsible management and the fair administration of justice across the state while encouraging local management and discretion in court operations. The Judicial Council's six goals are to improve:

1. Access, fairness, and diversity;
2. Independence and accountability;
3. Modernization of management and administration;
4. Quality of justice and service to the public;
5. Education for branchwide professional excellence; and
6. Branchwide infrastructure for service excellence.

The branchwide *operational plan* is developed by the council in collaboration with justice system partners every three years (current plan covers fiscal years 2008–2011). Features of the current operational plan are:

- 29 Objectives: Shorter-term, specific ends/projections of what is to be accomplished for each strategic goal.
- 84 Desired Outcomes: Specific, measurable outcomes for each objective—with a timeline for accomplishing.

Selection of Members

Members of the council are selected by a nominating procedure intended to attract applicants from across the legal system and to result in a membership that is diverse in experience, gender, background, and geography.

The 21 voting members of the Judicial Council consist of the Chief Justice, 14 judges appointed by the Chief Justice, 4 attorney members appointed by the State Bar Board of Governors, and 1 member from each house of the Legislature. The council also has approximately 10 advisory members who include court executives or administrators, the chair of the council's Trial Court Presiding Judges Advisory Committee, and the president of the California Judges Association. Staggered terms, with one-third of the council's membership changing each year, ensure continuity while creating opportunities for new participation and input.

Roster of the Judicial Council of California

Chair

Hon. Tani Cantil-Sakauye
Chief Justice of California

Supreme Court

Hon. Marvin R. Baxter
Associate Justice of the Supreme Court

Courts of Appeal

Hon. Richard D. Huffman
*Associate Justice of the Court of Appeal
Fourth Appellate District, Division One*

Hon. Harry E. Hull, Jr.
*Associate Justice of the Court of Appeal
Third Appellate District*

Hon. Douglas P. Miller
*Associate Justice of the Court of Appeal
Fourth Appellate District, Division Two*

Superior Courts

Hon. Stephen H. Baker
*Judge of the Superior Court of California,
County of Shasta*

Hon. James E. Herman
*Judge of the Superior Court of California,
County of Santa Barbara*

Hon. Ira R. Kaufman
*Judge of the Superior Court of California,
County of Plumas*

Hon. Mary Ann O'Malley
*Judge of the Superior Court of California,
County of Contra Costa*

Hon. Burt Pines
*Judge of the Superior Court of California,
County of Los Angeles*

Hon. Winifred Younge Smith
*Judge of the Superior Court of California,
County of Alameda*

Hon. Kenneth K. So
*Judge of the Superior Court of California,
County of San Diego*

Hon. Sharon J. Waters
*Judge of the Superior Court of California,
County of Riverside*

Hon. David S. Wesley
*Assistant Presiding Judge of the Superior Court
of California, County of Los Angeles*

Hon. Erica R. Yew
*Judge of the Superior Court of California,
County of Santa Clara*

Legislature

Hon. Noreen Evans
Member of the Senate

Hon. Mike Feuer
Member of the Assembly

State Bar

Ms. Miriam Aroni Krinsky
Attorney at Law

Ms. Edith R. Matthai
Attorney at Law

Mr. Joel S. Miliband
Attorney at Law

Mr. James N. Penrod
Attorney at Law

Advisory Members

Hon. Sue Alexander

*Commissioner of the Superior Court of California,
County of Alameda*

Hon. Keith D. Davis

*Judge of the Superior Court of California, County
of San Bernardino*

Hon. Kevin A. Enright

*Presiding Judge of the Superior Court of
California, County of San Diego*

Hon. Terry B. Friedman (Ret.)

*Former Judge of the Superior Court of California,
County of Los Angeles*

Hon. Teri L. Jackson

*Judge of the Superior Court of California, County
of San Francisco*

Hon. Robert James Moss

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of Orange*

Mr. Alan Carlson

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California, County of Orange*

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*Court Executive Officer, Superior Court of
California, County of San Diego*

Ms. Kim Turner

*Court Executive Officer, Superior Court of
California, County of Marin*

Secretary

Mr. William C. Vickrey

Administrative Director of the Courts

Contact:

Office of Communications, pubinfo@jud.ca.gov

Additional resources:

Publications, <http://www.courts.ca.gov/579.htm>

<http://www.courts.ca.gov/8117.htm>